

Introduced by Senators Lara and De León

February 1, 2013

An act to add Section 45304.5 to the Education Code, relating to classified school employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 160, as introduced, Lara. Classified school employees: child abuse investigations: statewide tracking.

Existing law requires the governing board of a school district to place a classified employee on a compulsory leave of absence in specified circumstances, including, among other circumstances, if the employee is charged by complaint, information, or indictment filed in a court of competent jurisdiction with the commission of a sex offense, as defined.

This bill would require a school district to notify the state board when a classified employee of the school district separates from employment with the district during the course of an investigation for child abuse, as defined in Section 11165.6 of the Penal Code, in which no arrest or conviction has been made, thereby imposing a state-mandated local program. The bill would require the state board to keep a centralized list of these notifications and make the list available to all school districts.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 45304.5 is added to the Education Code,
2 to read:
3 45304.5. (a) A school district shall notify the state board when
4 a classified employee of the school district separates from
5 employment with the district during the course of an investigation
6 for child abuse, as defined in Section 11165.6 of the Penal Code,
7 in which no arrest or conviction has been made.
8 (b) The state board shall keep a centralized list of the
9 notifications provided pursuant to subdivision (a) and make the
10 list available to all school districts.
11 SEC. 2. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.